

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35532 of 2020

Arising Out of PS. Case No.-468 Year-2019 Thana- GARKHA District- Saran

Jawala Prasad @ Jawala Prakash @ Gopal son of Lal Babu Gupta Resident of
Muhalla- Arya Nagar, P.O.- Sahebganj, P.S- Chhapra Muffasil, District
Chhapra, Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Maheshwar Prasad

For the Opposite Party/s : Mr.S.M.Rahman

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-12-2020 Heard learned counsel for the petitioner as well as
learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in Garkha P.S. Case No.
468 of 2019, registered for the offence punishable under
Sections 392, 412 of the Indian Penal Code.

As per the prosecution case, on 29-07-2019, when
the informant reached near an under-constructed house at
N.H.722, three miscreants surrounded him and on the point of
pistol, looted his TVS motorcycle, one mobile phone with two
SIM and Rs. 2,000/- (two thousand) from his pocket.

It is submitted on behalf of petitioner that petitioner
is not named in the FIR and nothing has been recovered from
his conscious possession. It is further submitted that till date,



petitioner has not been put on T.I.P. and he is in custody since 01-04-2020.

However, learned A.P.P. for the State has opposed the bail application and submitted that during course of investigation, it has come that the stolen mobile was sold by this petitioner to one Dara Rai and petitioner has got criminal antecedent also and he is accused in seven more cases.

Considering the nature of allegation as well as criminal antecedent of the petitioner, I am not inclined to grant him bail and accordingly, same is rejected.

(Prabhat Kumar Singh, J.)

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